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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent
application of:

Nancy J. Rabenold et al.

Serial No. 09/866,191

Filed May 25, 2001

REMOTE BIDDING SUPPLEMENT FOR
TRADITIONAL LIVE AUCTIONS

) Before the Examiner
)
)

) Group Art Unit 2613
)
)

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JUN 06 2003

Technology Center 2600

) May 29, 2003
)

PETITION TO MAKE SPECIAL BECAUSE OF ACTUAL INFRINGEMENT

(37 C.F.R. §1.102 and M.P.E.P. §708.02)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Sir:

Applicants hereby petition to make this application special because of actual
infringement.

1. Accompanying this petition is a Statement in Support of Petition to Make
Special Because of Actual Infringement.

I hereby certify that this correspondence is being deposited with the United States Postal
Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box
1450, Alexandria, VA 22313-1450 on May 29, 2003.

Clifford W. Browning
Name of Registered Representative

Clifford W. Browning
Signature

May 29, 2003
Date of Signature

2. The required fee under 37 C.F.R. §1.17(h) is enclosed herewith in the form of a check in the amount of \$130. The U.S. Patent and Trademark Office is authorized to charge any deficiency or apply any overpayment credit to Deposit Account No. 23-3030.

A duplicate of this paper is attached.

Respectfully submitted,

By: Clifford W. Browning
Clifford W. Browning
Reg. No. 32,201
Woodard, Emhardt et al. LLP
Bank One Center/Tower
111 Monument Circle, Suite 3700
Indianapolis, IN 46204-5137
(317) 634-3456

#221862



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent)	Before the Examiner
application of:)	
)	
Nancy J. Rabenold et al.)	Group Art Unit 2613
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Serial No. 09/866,191)	RECEIVED
)	JUN 06 2003
Filed May 25, 2001)	Technology Center 2600
)	
REMOTE BIDDING SUPPLEMENT FOR)	
TRADITIONAL LIVE AUCTIONS)	May 29, 2003

**STATEMENT IN SUPPORT OF PETITION TO MAKE SPECIAL
BECAUSE OF ACTUAL INFRINGEMENT (M.P.E.P. §708.02)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Clifford W. Browning, Registration No. 32,201, Woodard, Emhardt et al. LLP,
Bank One Center/Tower, 111 Monument Circle, Suite 3700, Indianapolis, Indiana 46204-
5137, Telephone No. 317-634-3456, am the attorney of record in this case and make the
following statements in support of the Petition to Make Special Because of Actual
Infringement filed herewith:

1. That there is an infringing method presently in use in the United States;

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 29, 2003.

Clifford W. Browning
Name of Registered Representative


Signature

May 29, 2003
Date of Signature

2. That a rigid comparison of the alleged infringing method with the claims of the application now pending has been made, and that, in my opinion, some claims now pending would unquestionably be infringed by the alleged infringing method; and

3. That I have caused to be made a search of the pertinent prior art. All such pertinent prior art has already been provided to the Examiner in an Information Disclosure Statement that was filed herein on February 4, 2003.

Date: May 29, 2003

By: Clifford W. Browning
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